

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEMETRIUS MILES, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JASMINE L. MILES,

Respondent-Appellant,

and

DEMETRIUS SIMPSON,

Respondent.

UNPUBLISHED

February 5, 2009

No. 285628

Berrien Circuit Court

Family Division

LC No. 2006-000091-NA

Before: Cavanagh, P.J., and Jansen and Meter, JJ.

PER CURIAM.

Respondent mother appeals as of right from the order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

To terminate parental rights, a trial court must first find that at least one of the statutory grounds set forth in MCL 712A.19b(3) was proven by clear and convincing evidence. MCL 712A.19b(3); *In re JK*, 468 Mich 202, 210; 661 NW2d 216 (2003); *In re Trejo Minors*, 462 Mich 341, 350; 612 NW2d 407 (2000). Once a statutory ground for termination of parental rights was established, the court was to terminate unless it found that termination of parental rights was clearly not in the child's best interests. Former MCL 712A.19b(5); *JK, supra* at 211. This Court reviews a trial court's finding that a ground for termination was established by clear and convincing evidence for clear error. MCR 3.977(J); *JK, supra* at 209. Similarly, this Court reviews a trial court's findings regarding a child's best interests for clear error. *Trejo, supra* at 356-357.

There was clear evidence that respondent mother was unable to care for Demetrius's basic needs and that she made no progress in improving her parenting skills despite being given many services to assist her. There was evidence that respondent mother made no progress at Florence Crittenton Services and failed to successfully complete any of the parenting classes to

which she was referred thereafter. In addition, there was evidence that respondent mother attended only 18 of 32 scheduled parenting time visits with her son despite having been provided with transportation. Furthermore, respondent mother did not consistently attend her individual counseling sessions at Riverwood. On the basis of this evidence, we find no clear error in the trial court's findings that the statutory grounds for termination set forth in MCL 712A.19b(3)(c)(i), (g), and (j) were proven by clear and convincing evidence.

Furthermore, after having reviewed the entire record, we find no clear error in the trial court's finding that termination of respondent mother's parental rights was not contrary to Demetrius's best interests. MCL 712A.19b(5). We therefore affirm the order terminating respondent mother's parental rights under MCL 712A.19b(3)(c)(i), (g), and (j).

Affirmed.

/s/ Mark J. Cavanagh

/s/ Kathleen Jansen

/s/ Patrick M. Meter